



**Republika e Kosovës**  
**Republika Kosovo - Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No.04/L-067**

**FOR THE AGENCY OF KOSOVO ON RADIATION PROTECTION AND  
NUCLEAR SAFETY**

**Assembly of Republic of Kosovo,**

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

**LAW FOR THE AGENCY OF KOSOVO ON RADIATION PROTECTION  
AND NUCLEAR SAFETY**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Purpose of the Law**

1. By this law, shall be established the Kosovo Agency for Radiation Protection and Nuclear Safety, (hereinafter – Agency) as executive Agency of the Government respectively of the Prime Minister's Office.
2. This law defines the duties, status and responsibilities of the Agency, as well the drafting and implementation of the strategy and action plan for radiation protection and nuclear safety.

## **Article 2 Definitions**

1. Terms used in this Law shall have the following meanings:

1.1. **Agency** - Kosovo Agency for Radiation Protection and Nuclear Safety (AKRPNS);

1.2. **Radiation** – Ionizing and Non-ionizing Radiation;

1.3. **Official person** - an official person defined by the Penal Code of Kosovo;

1.4. **Responsible person** - a responsible person as defined by the Law on Protection from non-ionizing and ionizing radiation, and nuclear safety;

1.5. **Nuclear material** - material which emits the radioactive gamma-rays alpha rays, beta, neutrons, etc.

1.6. **Sources of radiation** - materials, equipment (devices) and facilities that emit or may emit radiation;

1.7. **Radioactive material** - material which contains one or more radionuclide that presents a source of radiation;

1.8. **Radioactive waste** - the product of operation with radioactive materials or in various industrial processes and in laboratories that treats radioactive materials;

1.9. **Nuclear facility** - a research reactor and nuclear, nuclear power plants, plants for processing nuclear fuel and facilities for processing of used nuclear fuel and instruments for radioactive waste;

1.10. **Nuclear Safety** - a range of defined organizational measures, technical and technology which ensures optimal planning against exposure and risk from radiation as a result of the use of ionizing radiation sources;

1.11. **Radioactive risk** - measures by which express the risk states, the damage or possibility of damage or injury which are as result of potential exposure to ionizing radiation and its proportional to the likelihood of presenting the certain harmful effect and the intensity of such effect;

1.12. **Extraordinary event** - the unexpected event, which may come or has come to the radiation of the population, persons and the environmental, over the allowed doses;

1.13. **License** - the written act which issues the Agency to the license applicants, as an evidence that proves that they met all the conditions prescribed for performing all activities related to Radiation Protection and Nuclear Safety, within limited time;

1.14. **Authorization** - - the written act which the Agency issue for physical persons or legal entities to perform professional activities associated with Radiation Protection and Nuclear Safety, defined by law;

1.15. **Permit** - the written act which is issued by the Agency for special movement of one or more radiation sources, radioactive and nuclear materials;

1.16. **Personnel** - professional staff who performed the specialization of physics medicine, radiology, radiotherapy, nuclear medicine and capacity trainings on relevant sub-specialistic training about work in radiation areas with appropriate licensing;

1.17. **Decision** - the written act which is issued by the Agency to a physical person and legal entity who meets the conditions for the performance of radiation protection in accordance with this Law;

1.18. **Monitoring** - all measurements of radiation and other parameters resulting from radiation exposure assessment and control of population and environment;

1.19. **Radioactive waste management** - summarize of administrative and operational activities in the use, treating, storage, transportation and deposit of radioactive waste and discharges of effluents;

## **CHAPTER II**

### **AGENCY OF KOSOVO FOR RADIATION PROTECTION AND NUCLEAR SAFETY**

#### **Article 3**

##### **Agency Status**

1. The Agency is an independent and specialized authority for implementation of policies and national and international standards in the field of radiation protection and nuclear safety.
2. The Agency is a legal entity.

#### **Article 4**

##### **Agency Budget**

1. The Agency is a special budgetary program within the budget of Office of the Prime Minister. Budget of the Agency shall be reviewed and approved in a regular budgetary process, in compliance with the Law on Management of Public Finances and Accountabilities.
2. Agency manages the budget independently, in compliance with the legislation in force.

**Article 5**  
**Duties and responsibilities of the Agency**

1. To meet regulatory goals and objectives defined by this law, the Agency exercise the following tasks:

1.1. assisting the Government of Kosovo in developing national policies and regulatory measures to control the activities and practices regulated by this Law;

1.2. issue regulations, guidelines and decisions necessary for implementation of this law;

1.3. sets standards for the protection of individual's society and the environment from potential harmful effects of ionizing radiation;

1.4. issue, amend, suspend or revoke licenses, authorizations, permits and consents and establishes the practices and activities involving radiation and nuclear safety;

1.5. inspecting, monitoring and conducting evaluation activities and practices, in order to verify compliance with applicable laws, applicable legal acts, under the terms and conditions of licenses, authorizations, permits and consents;

1.6. undertake measures in case of a discrepancy between the activities and practices with applicable laws, regulations, terms and conditions of licenses, authorizations, permits and consents;

1.7. defines the obligations, including financial ones, for the persons or entities authorized to conduct activities or practice;

1.8. provides that corrective actions are taken in case of unsafe or potentially unsafe situations may occur, in sites where the authorized activities were detected;

1.9. confirms the competence of responsible personnel for the safe operation of a facility, activity or practice;

1.10. shall establish a tariff or payment for licenses, authorizations and permits in accordance with procedures and financial regulations of the Republic of Kosovo;

1.11. gathers required advice or opinions from the experts for the performance of its functions, through the employment of consultants, contracting specific projects, or creation of permanent bodies or advisory ad-hock bodies;

1.12. creates and maintains a national registry of radiation sources;

1.13. creates and maintains a national registry of authorized persons to conduct activities under this law or practice;

- 1.14. cooperates with the International Agency of Atomic Energy (IAAE) in implementing preventive measures, in accordance with the Agreement of Safeguards Measures, and any Protocol, between the Republic of Kosovo and the International Atomic Energy Agency, including inspections and visits, complementary access to performing and providing any assistance or information required by the IAEA inspectors;
- 1.15. establishes and maintains a system of State accounting to control nuclear materials and a national system for registration of licenses for nuclear materials, and establish necessary reporting and record keeping for applications in accordance with the Security Protection Agreement as well as each of its protocols between the Republic of Kosovo and the International Atomic Energy Agency;
- 1.16. independently or in cooperation with governmental institutions establishes and implements the export control system and import of nuclear and radioactive substances, sources, equipments, necessary technology and information to implement the International commitments;
- 1.17. set out the regulatory measures on ensuring nuclear and other radioactive substances, as well as their surrounding facilities, including measures to detect, prevent, and responsibility for any unauthorized act;
- 1.18. participates in the identification of basic risk assessment for the implementation of security measures;
- 1.19. cooperates with other relevant agencies of the Republic of Kosovo in the establishment and maintenance of mobility plan for response to emergencies including nuclear or radioactive materials in accordance with national emergency response plan;
- 1.20. communicates directly with other governmental bodies in all the circumstances that are considered necessary for the effective exercise of its functions;
- 1.21. conducts or arranges the researches on radiation safety and security necessary for the implementation of its functions;
- 1.22. collaborates with other governmental or non-governmental organizations that have competence in such areas as health and safety, environmental protection, safety and transportation of dangerous goods;
- 1.23. exchange information and cooperate with regulatory authorities of other states and relevant international organizations on matters arising from the exercise of its functions;
- 1.24. establish appropriate mechanisms and procedures for informing and advising the public and other stakeholders about the regulatory process and safety, health and environmental aspects of regulatory activities and practices, including incidents, accidents and unusual events;

1.25. receives information, documents and opinions from public and private organizations or individuals that may be necessary and appropriate on performing its functions;

1.26. inform the local and relevant international institutions and public about the situation in the field of radiation protection and nuclear safety;

1.27. defines the form and manner of information, which will be regulated by a special act of the Agency;

1.28. perform also other functions as it is considered as necessary for protecting people and environment in the Republic of Kosovo.

## **Article 6**

### **Advisory bodies and consultants**

1. The Agency, if necessary, establishes committees as consulting bodies that can be useful and appropriate to carry out its regulatory responsibilities, according to the budgetary possibilities allowed by the Law on Annual Budget.

2. Agency as necessary engages outside experts as advisers, consultants or auditors to assist in carrying out its regulatory responsibilities according to the budgetary possibilities allowed by the Law on Annual Budget.

3. The use of advisory bodies or external experts does not prevent the Agency from its responsibilities under this law, other relevant laws and regulations of the Republic of Kosovo.

4. Agency that provides technical support received from external bodies or experts, presents no conflict of interest or improper influence in its regulatory decision.

## **Article 7**

### **Chief Officer**

1. The Agency is led by a Chief Officer (hereinafter - Chief Officer).

2. Chief Officer's duties and responsibilities shall be assigned by sub-legal act.

## **Article 8**

### **Chief Officer of the Agency**

Chief Officer of the Agency shall be appointed according to the Law no. 03/L-149 on Civil Service of Republic of Kosovo and Regulation No. 06/2012 for senior management positions within the civil service of Republic of Kosovo.

**Article 9**  
**Termination of the Director's Mandate**

1. The function of the Director terminates:
  - 1.1. by the termination of mandate, under the present law;
  - 1.2. with permanent loss of ability to perform its function;
  - 1.3. by resignation;
  - 1.4. if by a final judicial decision has been convicted for a criminal offense for which the law provides penalty above six (6) months imprisonment;
  - 1.5. if exercising functions that are incompatible with his function under the applicable law;
  - 1.6. with dismissal by the Government due to failure to fulfill the legal mandate;
  - 1.7. by death.

**Article 10**  
**Responsibilities and powers of Director**

1. The Director has the following responsibilities:
  - 1.1. manage and organize the work of the Agency;
  - 1.2. supervise the work of employees of the Agency;
  - 1.3. represents the Agency in country and abroad;
  - 1.4. manages the budget of the Agency and is responsible for his spending;
  - 1.5. achieve the cooperation agreements with other local and international Institutions, in accordance with applicable laws;
  - 1.6. decides to engage experts outside the Agency;
  - 1.7. performs other duties prescribed by law.
2. Director shall appoint his/her Deputy, which will replace him in the temporary absence or disability.

**Article 11**  
**The internal organization of the Agency**

In accordance with the relevant law in force, the Chief Officer shall issue a sub-legal act for internal organization and for Agency functioning.

**Article 12**  
**Reporting on the work of the Agency**

Agency through Government, submits an annual work report for the previous year in the Assembly of Kosovo at the latest until 31 March.

**CHAPTER III**  
**STRATEGY AND ACTION PLAN FOR RADIATION PROTECTION AND NUCLEAR SAFETY**

**Article 13**  
**Strategy for Radiation Protection and Nuclear Safety**

1. The Agency, in cooperation with the Government and other governmental and nongovernmental Institutions, develops the Strategy for Radiation Protection and Nuclear Safety.
2. The Agency through Government submits for approval the Strategy for Radiation Protection and Nuclear Safety in the Assembly, a document that contains policies for radiation protection and nuclear safety that shall be implemented by institutions of the republic of Kosovo, as at central and local level.

**Article 14**  
**Action Plan of Radiation Protection and Nuclear Safety**

1. Pursuant to the National Strategy for Radiation Protection and Nuclear Safety, the Agency draft the action Plan of Radiation Protection and Nuclear Safety in collaboration with institutions of the Republic of Kosovo, a document contains concrete measures for Radiation Protection and Nuclear Safety to be implemented by institutions both at central and local level.
2. Action Plan of the Radiation Protection and Nuclear Safety can be amended based on suggestions from responsible institutions or at the initiative of the Agency.



3. The Agency monitors the implementation of the Action Plan of Radiation Protection and Nuclear Safety by Kosovo institutions at both central and local levels. For implementing measures of Radiation Protection and Nuclear Safety, the institutions shall report to the Agency periodically every six (6) months and whenever required by the Agency.

4. During the annual reporting of the Agency, shall be reported also for the progress in implementation of the Strategy and Action Plan of Radiation Protection and Nuclear Safety.

## **CHAPTER IV**

### **NOTICE, LICENSING, AUTHORIZATION, PERMIT AND INSPECTION**

#### **Article 15**

##### **Notice**

Any natural person or legal entity who wishes to be engaged in an activity or practice, submit notification to the Agency of its intention to conduct such activity or practice in the form and within the time required by the Agency.

#### **Article 16**

##### **License, authorization and permission**

1. None of the natural or legal person can not perform an activity or practice in the field of radiation protection and nuclear safety, unless is licensed, authorized and permitted by the Agency.

2. Procedures, forms and ways of licensing, authorization and permission for activities in the field of radiation protection and nuclear safety, are determined by the Agency by a special act.

#### **Article 17**

##### **Inspection**

1. To supervise the implementation of safeguards measurements for the radiation and nuclear safety according to budgetary possibilities allowed by the Law on Annual Budget, the Agency will establish the relevant inspectorate.

2. Duties and responsibilities of inspectors are regulated by special act of the Agency in accordance with the laws in force.

**CHAPTER V**  
**DATA PROTECTION, RECORD KEEPING AND CONFIDENTIALITY OF**  
**INFORMATION**

**Article 18**  
**Official secret**

1. Officials of the Agency, employed person by the Agency, and all persons who become aware of official secrecy in cooperation with the Agency are obliged to maintain as confidential any information they have learned in the exercise of their duty, which is considered secret information.
2. In view of this law the confidential information are considered as following:
  - 2.1. data from the central base of the Agency dealing with nuclear safety;
  - 2.2. other information whose disclosure could endanger national security could create panic among citizens or can damage legal entity or physical person.
3. The Agency is obliged to save data, information and documentation obtained under this Law and in accordance with applicable law.

**CHAPTER VI**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 19**

As the Law enters into force, the staff, jobs, budget and inventory are transferred from the relevant unit of the Ministry of Environment and Spatial Planning to the Agency.

**Article 20**

With entry into force of this law Article 6 and Article 7 of the Law no. 03/L-104 on Protection from Non-Ionized, Ionized Radiation and Nuclear Safety shall be repealed.

**Article 21**  
**Entry into force**

This law enters into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-067**  
**24 May 2012**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**